

Prior to the start of the regularly scheduled City Council meeting, Mayor Hampton and council toured the Mt. Vernon Public Works facility located at 1040 2nd Avenue NW, Mt. Vernon, Iowa. The tour began at 5:30 p.m., July 18, 2016.

The Mount Vernon City Council met July 18, 2016 at the Mount Vernon City Hall Council Chambers with the following members present: Roudabush, Tuerler, Christensen and Rose. Absent: Wieseler.

Call to Order. At 6:30 p.m. Mayor Jamie A. Hampton called the meeting to order.

Agenda Additions/Agenda Approval. Motion made by Rose, seconded by Christensen to approve the agenda. Carried all. Wieseler absent.

Communications

True North Presentation-Worker's Compensation. Stuart Haker with True North provided Council with a report explaining the Experience Modification factor for worker's compensation insurance. He felt there was often confusion amongst many people about how that factor works and what it means for the City of Mount Vernon and how to bring that number down. Haker explained that every employer that has W2's is statutorily forced to buy worker's compensation insurance to protect the employee group if they were to be injured. Insurance companies use an experience modification factor comparing businesses with the same class codes based on historical losses and payroll amounts in each class. The work comp premium is based on the company's payroll, times the rate for each job classification code, times experience modification, which equals the new premium. Your modification factor would be higher or lower based on the businesses worker's compensation losses. To control the experience modification factor a business would need to create an environment where there are fewer claims than expected for that organization. Haker feels that by Council and leadership supporting an environment where safety training, holding people accountable for negative behaviors and rewarding and recognizing people for positive behaviors can significantly influence the experience modification factor.

Consent Agenda

Approval of City Council Minutes – July 5, 2016 Regular Council Meeting. Motion made by Rose, seconded by Christensen to approve the Consent Agenda. Carried all. Wieseler absent.

Motions for Approval

Consideration of Claims List – Motion to Approve. Motion to approve the claims list made by Tuerler, seconded by Rose. Carried all. Wieseler absent.

AIRGAS INC	CYLINDER RENTAL FEE-PW	28.00
ALL SECURE	SYSTEM MONITORING-POOL	75.00
ALLIANT IES UTILITIES	ENERGY USAGE-WAT	3,732.13
ALLIANT IES UTILITIES	ENERGY USAGE-ST LIGHTS	3,183.79
ALLIANT IES UTILITIES	ENERGY USAGE-POOL	1,682.22
ALLIANT IES UTILITIES	ENERGY USAGE-P&A	1,024.54
ALLIANT IES UTILITIES	ENERGY USAGE-RUT	471.83
ALLIANT IES UTILITIES	ENERGY USAGE-P&REC	467.18
ALLIANT IES UTILITIES	ENERGY USAGE-FD	317.72

ALLIANT IES UTILITIES	ENERGY USAGE-P&A	155.93
ALLIANT IES UTILITIES	ENERGY USAGE-ST LIGHTS	108.81
ALLIANT IES UTILITIES	ENERGY USAGE-KMVL	44.74
ALLIANT IES UTILITIES	ENERGY USAGE-SEW	21.67
ALLIANT IES UTILITIES	ENERGY USAGE-EMA	21.63
ALLIANT IES UTILITIES	ENERGY USAGE-CEM	19.31
ALLIED GLASS PRODUCTS INC	DOOR ADJUSTMENT-P&A	75.00
AUTO WORX	PATCH PLUG-PD	19.00
BARNYARD SCREEN PRINTER LLC	UNIFORMS-PD	20.00
BATY, TREVOR	TEACHING/UNIQUE SPORTS CAMP	160.00
BLINKS, JASON	FITNESS MEMBERSHIP REIMB-FD	107.00
CAREPRO PHARMACY	SUPPLIES-POOL	89.44
CENTRAL IOWA DISTRIBUTING	SUPPLIES-ALL DEPTS	540.50
CENTURY LINK	PHONE CHGS-P&A	497.83
CENTURY LINK	PHONE CHGS-PD	107.44
CENTURY LINK	PHONE CHGS-RUT	51.20
CENTURY LINK	PHONE CHGS-POOL	43.95
CENTURY LINK	PHONE CHGS-PD	36.95
CONLEY REPAIR	FURNACE/AC MAINT-P&A	240.00
CR/LC SOLID WASTE AGENCY	BULKY ITEM DROPOFF,MISC-S/W	2,247.40
DIESEL TURBO SERVICES INC	55 GAL DRUM/OIL-PW	480.00
DIESEL TURBO SERVICES INC	LABOR/SKID LOADER-PW	75.00
ECICOG	ZONING ORDINANCE UPDATE-P&A	913.00
ENGELBRECHT, JACQUELINE	TEACHING/AQUACISE-POOL	100.00
FELD FIRE	NOZZLE-FD	376.50
FELD FIRE	AKRON SERVICE KIT-FD	72.52
FOREST, KATEY	THEME NIGHT-P&REC	127.47
GARRETT HORMANN	UMPIRE PAY-P&REC	30.00
GOODLOVE, NATHAN	FIRE CHIEF PAY-FD	416.63
GROUP SERVICES INC	INSURANCE-ALL DEPTS	25,972.58
HAUGE CPA, BRADLEY	PROFESSIONAL SERVICES-P&A	545.00
HAUSER, CAIDEN	UMPIRE PAY-P&REC	25.00
HAWKEYE READY MIX	COUNTRY CLUB/OAK RIDGE CORNER	256.90
HAWKEYE READY MIX	COUNTRY CLUB/OAK RIDGE CORNER	114.00
HORMANN, HUNTER	UMPIRE PAY-P&REC	125.00
IOWA ASSOC OF MUNICIPAL UTILITIES	MEMBERSHIP-PW	3,696.23
IOWA DEPARTMENT OF TRANSPORTATION	FLAGGER SIGNS,BRACKETS,STANDS	1,409.84
IOWA ONE CALL	LOCATES-WAT,SEW	74.70
IOWA SOLUTIONS INC	COMPATIBILITY ISSUES-PD	115.00
JOE'S QUALITY WINDOW CLEANING	WINDOW CLEANING-P&A	150.00
KIEFER & ASSOCIATES	SUPPLIES-POOL	131.40
KING, HANNA	DEPOSIT REFUND-WAT	9.65
KONICA MINOLTA BUSINESS SOLUTIONS	MAINTENANCE PLAN/COPIES-ALL DEPTS	575.54
KRAGENBRINK, CALVIN	TEACHING - LEGO CAMP-P&REC	160.00
MATRE ARMS & AMMUNITION	TRAINING-PD	909.00
MOUNT VERNON ACE HARDWARE	SUPPLIES,EQUIP,MISC-ALL DEPTS	2,682.42
MOUNT VERNON POLICE RESERVES	SPECIAL EVENTS PAY-PD	84.00
NISSSEN, NICK	CELL PHONE STIPEND-PW	480.00
NOSBISCH, CHRIS	CELL PHONE STIPEND-P&A	480.00
OFFICE OF VEHICLE SERVICES	VEHICLE INSPECTIONS-PD	50.00
P&K MIDWEST INC	HEADLIGHT/GATOR-P&REC	60.24
P&K MIDWEST INC	ABSORBENT PADS-FD	19.99
PAYROLL	CLAIMS	16,145.23
POOL TECH INC	CHEMICALS-POOL	149.00

RAMBO, NANETTE	REFUND - SWIM LESSONS-POOL	70.00
ROTO-ROOTER	POOL LINE CLOG-POOL	270.00
SAM'S CLUB #8162	SUPPLIES-POOL	522.87
SCHIMBERG COMPANY	ROAD MAINT-RUT	17.80
SEE, SUSAN	TEACHING-AQUACISE-POOL	75.00
SPRINGER PEST SOLUTIONS CORP	PEST CONTROL-P&A	30.00
STAPLES ADVANTAGE	TIMECARDS-POOL	114.92
STATE HYGIENIC LAB	TESTING-SEW	2,516.50
SUMMIT SUPPLY CORP OF COLORADO	DOGGIE BAGS-SPL REV	111.00
USA BLUE BOOK	LAB TESTING-WAT	238.80
VEENSTRA & KIMM INC	5TH AVE/1ST ST W TRAFFIC SIGNAL	1,766.88
VOLKOV, ALEX	CELL PHONE STIPEND-PW	480.00
WADE, LUKE	UMPIRE PAY-P&REC	20.00
WALKER AG EQUIPMENT	MOWER SERVICE-RUT	222.90
WALKER AG EQUIPMENT	OIL,FILTER-RUT	48.16
WATER SOLUTIONS UNLIMITED INC	CHEMICALS-WAT	381.00
WENDLING QUARRIES	STONE/OAK RIDGE-RUT	70.98
WENDLING QUARRIES	ROAD ROCK-RUT	70.45
	TOTAL	79,629.31

Discussion and Consideration of City Hall Cleaning Services-Council Action as Needed. City Administrator Nosbisch explained that the cleaning service that had been cleaning City Hall had recently stopped providing services. The approximate yearly cost for their services was around \$6,000 and he wanted to make sure that Council was comfortable with that expense. He suggested advertising for the services in the paper. He knows of two local companies that would be interested in looking into the services and there is also at least one staff person that has shown interest. Any additional services such as carpet cleaning would be contracted out as a separate service. No action taken.

Discussion and Consideration of Zoning Board of Adjustment Vacancies-Council Action as Needed. The Zoning Board of Adjustment currently has one vacancy. Nosbisch explained that there is a state law that talks about gender equality for boards and commissions. There is one male individual that has submitted an application and the board recently lost a female member. Nosbisch is asking for interested individuals to submit their application to City Hall. Christensen felt that it should be standard practice to advertise these types of things for a certain period of time and get as many applications as possible. If anyone interested in the position has questions they can contact City Administrator Nosbisch.

Discussion and Consideration of Setting Public Hearing Date for an Ordinance to Adopt Chapter 48 Social Host of the Mt. Vernon Municipal Code. Rose made a motion to set the public hearing for the Social Host Ordinance for August 1, 2016 at 6:30 p.m. Seconded by Tuerler. Wieseler absent.

Discussion and Consideration of Pay Application #2-Pool Filters and Heaters-Council Action as Needed. Nosbisch explained that this is the last pay application for this project. There is a letter from V&K stating they agree that the payment should be made. Christensen asked Public Works Director, Nick Nissen, if he was satisfied with the work that had been done and would recommend approval. Nissen replied that he was satisfied with the work. Motion made by Tuerler, seconded by Roudabush to approve Pay Application #2-Pool Filters and Heaters, in the amount of \$5,074.35. Carried all. Wieseler absent.

Discussion and Consideration of Pay Application #3-2015 Sanitary Sewer Improvements-Council Action as Needed. Nosbisch said he had talked to Water/Wastewater Superintendent, Alex Volkov, and is he comfortable with the improvements. Motion made by Tuerler, seconded by Roudabush to approve Pay

Application #3-2015 Sanitary Sewer Improvements in the amount of \$12,271.44. Carried all. Wieseler absent.

Reports to be Received/Filed

Mt. Vernon Police Report. Council was provided a copy of the police report. No additional comments by Council.

Mt. Vernon Parks and Recreation Report. Council was provided a copy of the Parks and Recreation Report. Nosbisch explained that there had been some vandalism at the pool recently so they will be looking at putting up security cameras. No additional comments by Council.

Mt. Vernon Public Works Report. Council was provided a copy of the Public Works Report. Nick Nissen brought Council up to date on tree trimming on Hwy 1. There had been complaints received about trees in the City right of way and due to the wide area, it was decided that the City would take care of the trimming. Christensen asked if there was a plan to assess the homeowners the cost of staff time for the trimming. Nosbisch explained that due to the large area and DOT regulations, there is no plan at this time to do that. Nosbisch said that tree trimming is a larger discussion item that will be discussed at a future meeting. Nissen also updated Council on the 5th Avenue project. There are issues with the mulch that was provided so new mulch will be put down and re-seeding will be done.

Discussion Items (No Action)

Alley Policy. Nosbisch said this was a starting point for an alley policy discussion and provided Council with a rough draft policy that he worked up based on conversations with other communities (this draft policy can be viewed on the City website). Items covered in the draft policy include alley vacations, alley maintenance, alley improvements and alley use. There are some alleys that could be considered for vacation but the City would still want to maintain a right of way for utility purposes. In the last paragraph of the draft policy under Alley Use, the wording would allow the City to stay out of neighborhood disputes. If an alley has not been graded to City specifications, or not received at least one treatment of rock, asphalt or sealcoat, the alley is not considered improved and shall not be utilized by the general public. If people want to use that alley then they need to cover the expense and get the neighbors to agree, and everyone needs to agree that the alley should be opened up for use. This takes the City out of the neighborhood disputes.

Roudabush said there were a lot of alleys in town that were green grass and not used on a regular basis. He did not agree that the City should mandate that owners improve and maintain those alleys. Nosbisch said the question is, when is an alley considered an alley? A street right of way doesn't necessarily give the general public the ability to use the street right of way. It's not until the street becomes constructed and dedicated to the City that you can technically use that right of way. Staff is running into property owners not agreeing on the use of an alley and the City needing to make a determination if the use is ok. Christensen asked how it was determined who gets to use a non-improved alley and treat it as their yard and feel that sense of ownership and entitlement. Nosbisch said in the draft policy, the only thing exempted out is utilities and the only people that could technically use it would be the utility companies. Christensen said the hard feelings arise from adjacent property owners when there aren't clear boundaries. Nosbisch said a vast majority of cities have turned over the alley right of ways to the property owners for maintenance. He does not mean vacate, but turned over the maintenance of the alley. Christensen did not see anything in regards to this in the City Attorney's conclusion in the packet and he would like it clarified. Tuerler said the question is, when are property owners allowed to use an unimproved alley if they wish to do so? Tuerler said that several years ago City staff was asked to do an alley inventory and wondered if there was a record of that information. This would give the City a better understanding of where there are right of ways and whether they have been encroached upon. It would also give the City a chance to look at alleys that are not needed

and start the process of vacating them. Christensen said the problem that was trying to be solved to a certain extent is to make the disputes over alleys, which are right of ways, not the City's problem. He also felt that if you are adjoining an alley right of way, you should have the right to buy any portion of it, including its entirety, which would be a policy decision. Nosbisch stated that staff is willing to do whatever Council wants, he just wanted to give a starting point to begin the conversations. At a very minimum it needs to be determined when an alley can be used and what constitutes a usable alley versus one that is being utilized for green space. Christensen said the biggest issue for him is the legal summary provided by the City Attorney says things about Iowa law requiring cities to maintain an alley once improved, but past policy for Mount Vernon is that citizens have to do it. Now the city's legal responsibility could be pushed on to the property owner if it is improved. Nosbisch said that he asked one specific question of the City Attorney as it related to alley usage and was given a specific response. If those questions were broadened out, the attorney would give additional information. Christensen was also concerned about alleys that may have previously been improved and then grassed over. Would those be treated as improved alleys or not? Other concerns he had that should be dealt with in the policy are tree trimming, fences, garages, sheds, etc. Discussion will continue in the future.

Reports of Mayor/Council/Administrator

Mayor's Report. Mayor Hampton thanked Wade Squiers and his team for their work during Heritage Days.

Council Reports. Roudabush voiced concern over the maintenance being done at the cemetery. City staff will keep an eye on this.

City Administrator's Report. The seal coat project is for the most part complete. There will be some dust involved in the next week or so as the chips compact. The packet for the August 1st meeting will be put together without too much significant on the agenda as Nosbisch will be gone for that meeting. There was a tree that fell on a home over the weekend without too much damage. The tree has been removed. Gary's parking lot work is underway.

Adjournment. As there was no further business to attend to the meeting adjourned, the time being 7:47 p.m., July 18, 2016.

Respectfully submitted,
Marsha Dewell
Deputy Clerk